

REMARKS

In the application claims 1, 4-18, and 20-45 remain pending. Claims 2, 3, and 19 have been canceled without prejudice. No claims presently stand allowed. The reconsideration of the rejection of the claims is, however, respectfully requested.

Claims 1, 4-18, and 20-45 stand rejected as being rendered obvious over Elston (U.S. Published Application 2002/0143655) in combination with Wetzer (U.S. Patent No. 6,738,748).

In response, it is respectfully submitted that Elston fails to be “prior art.” In this regard, it is first noted that the subject application for patent, while filed on May 29, 2001, claims the benefit of U.S. Provisional Application Serial No. 60/263,317 filed on January 22, 2001. Meanwhile, Elston has a filing date of February 26, 2002 while claiming the benefit of U.S. Provisional Application Serial No. 60/280,105 filed on April 2, 2001 and U.S. Provisional Application Serial No. 60/281,287 filed on April 3, 2001. Thus, the subject application for patent has a priority date which predates the earliest priority date to which Elston may be entitled.

It is additionally noted that the subject matter of Elston which has been relied upon in the Office Action for the purpose of rejecting the claims at issue fails to appear in either U.S. Provisional Application Serial No. 60/280,105 or U.S. Provisional Application Serial No. 60/281,287. Accordingly, February 26, 2002 is the earliest effective filing date to which the subject matter relied upon in rejecting the claims is entitled.

It is additionally respectfully submitted that Wetzer fails to be “prior art.” In this regard, as discussed above, the subject application for patent has an effective filing date of January 22, 2001. Meanwhile, Wetzer has a filing date of April 3, 2001. Thus, the subject application for

patent has a priority date which predates the earliest priority date to which Wetzer may be entitled.

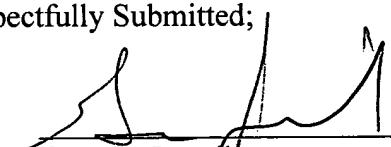
Believing that neither Elston nor Wetzer may be used to reject the claims of the subject application for patent, it is respectfully requested that the rejection be withdrawn.

CONCLUSION

It is respectfully submitted that the application is in good and proper form for allowance. Such action of the part of the Examiner is respectfully requested. Should it be determined, however, that a telephone conference would expedite the prosecution of the subject application, the Examiner is respectfully requested to contact the attorney undersigned.

The Commissioner is authorized to charge any fee deficiency or credit overpayment to deposit account 50-2428 in the name of Greenberg Traurig.

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Respectfully Submitted;
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